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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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WILLIAM ANDERSON, et al.,

Plaintiffs,

-v-

GOLDEN KRUST FRANCHISING, INC., et al.,

Defendants.
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17 Civ. 9625 (PAE)

ORDER OF DISMISSAL

PAUL A. ENGELMAYER, District Judge:

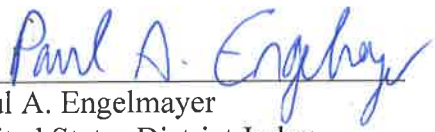
On March 5, 2018, the Court received a letter from plaintiffs' counsel containing a stipulation of voluntary dismissal with respect to plaintiff William Anderson. *See* Dkt. 36. The letter also indicated that plaintiffs' counsel "have not been able to prosecute this case for Plaintiff Sixto Ramirez because of his failure to participate in the lawsuit," and therefore sought to withdraw. *Id.*

On March 6, 2018, the Court issued an Order granting the motion to withdraw and directing Ramirez to show cause by May 7, 2018 why this action should not be dismissed for failure to prosecute under Federal Rule of Civil Procedure 41. *See* Dkt. 38. The Court directed plaintiffs' counsel to serve the Order on Ramirez at his last known address, and notified Ramirez that his failure to respond would result in dismissal of this case. *See id.* On March 12, 2018, plaintiff's counsel served Ramirez with the Court's March 6 Order. *See* Dkt. 39.

Ramirez has not responded. Accordingly, under Federal Rule of Civil Procedure 41(b) and the Court's inherent power, *see Link v. Wabash R.R. Co.*, 370 U.S. 626, 630–32 (1962), the Court hereby dismisses this case, without prejudice, for the plaintiff's failure to prosecute.

The Clerk of Court is respectfully directed to close this case.

SO ORDERED.



Paul A. Engelmayer
United States District Judge

Dated: May 14, 2018
New York, New York